

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

M CORP DBA 11:59,

Plaintiff,

v.

INFINITIVE, INC., JOSEPH
BRADLEY SHERIDAN,
DATABRICKS INC., WILLIAM
McKINNEY, CHERYL MILES, and
DOES 1-25, inclusive,

Defendants.

Civil Action No. 1:24-cv-1823

JOINT STIPULATION TO DISMISS INDIVIDUAL DEFENDANTS
WILLIAM MCKINNEY AND CHERYL MILES

This Joint Stipulation to Dismiss Individual Defendants William McKinney and Cheryl Miles in the above-captioned action (“**Action**”) is entered into by and between Plaintiff M Corp DBA 11:59 (“**Plaintiff**”) and Defendants Databricks, Inc. (“**Databricks**”), William McKinney (“**McKinney**”), and Cheryl Miles (“**Miles**”) (collectively, the “**Databricks Defendants**,” and together with Plaintiff, the “**Parties**”), through their respective counsel of record.

WHEREAS, on December 20, 2024, Plaintiff filed its First Amended Verified Complaint (the “**Amended Complaint**”), adding the Databricks Defendants as defendants;

WHEREAS, in the Amended Complaint, Plaintiff alleges four Counts against the Databricks Defendants, Count V (Conspiracy), Count VI (Tortious Interference with Business Expectancies and/or Contract Relations), Count VII (Aiding and Abetting Breach of Fiduciary Duty), and as to Databricks alone, Count XI (Breach of Contract);

WHEREAS, McKinney and Miles have not yet appeared in this Action; and

WHEREAS, the Parties have conferred and agree to dismiss McKinney and Miles from this Action without prejudice, subject to the conditions herein.

NOW, THEREFORE, the Parties stipulate and agree to the following:

1. Plaintiff hereby agrees to dismiss Defendants William McKinney and Cheryl Miles from this Action without prejudice.

2. Following their dismissal, McKinney and Miles will reasonably cooperate with formal discovery in this Action, specifically:

- a. McKinney and Miles shall provide all documents in their possession, custody or control to Databricks and cooperate with Databricks to ensure Databricks' compliance with its discovery obligations;
- b. McKinney and Miles shall cooperate in good faith with Plaintiff to finalize their respective in-progress declarations; and
- c. McKinney and Miles shall appear for depositions as needed and upon reasonable notice, without the need for subpoenas and otherwise in accordance with the Federal Rules of Civil Procedure and local rules.

3. Plaintiff, McKinney and Miles shall enter into a tolling agreement that tolls the statute of limitations from the date of dismissal until the completion of fact discovery in this matter for any causes of action against Miles and McKinney arising out of Plaintiff's existing or prospective business with Databricks.

4. Defendant Databricks shall not move to dismiss this Action on jurisdictional grounds pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure.

Dated: April 7, 2025

Respectfully submitted,

/s/ John Murdock

John Murdock, Esq.
POTTER & MURDOCK
Brian S. Szmak, Esq.
252 N. Washington Street
Falls Church, VA 22046
jmurdock@pottermurdock.com
bszmak@pottermurdock.com

Stacy Landau, Esq., *pro hac vice*
Kegan S. Andeskie, Esq., *pro hac vice*
NUKK-FREEMAN & CERRA, P.C.
26 Main Street, Suite 202
Chatham, New Jersey 07928
Tel: (973) 665-9100
Fax: (973) 665-9101
slandau@nfclegal.com
kandeskie@nfclegal.com

Attorneys for Plaintiff M Corp dba 11:59

/s/ Robert R. Vieth

Robert R. Vieth (VSB No. 24304)
HIRSCHLER FLEISCHER, PC
8270 Greensboro Drive, Suite 700
Tysons Corner, Virginia 22102
T: (703) 584-8903
F: (703) 584-8901
Email: rvieth@hf-law.com

Of counsel:

Daniel J. McCoy, *pro hac vice*
dmccoy@fenwick.com
FENWICK & WEST LLP
801 California Street
Mountain View, CA 94041
Telephone: (650) 988-8500
Facsimile: (650) 938-5200

Reanne Swafford-Harris, *pro hac vice*
rswaffordharris@fenwick.com
FENWICK & WEST LLP
730 Arizona Avenue, 1st Floor
Santa Monica, CA 90401
Telephone: 310-43-5400
Facsimile: 650-938-5200

*Counsel for Defendants Databricks, Inc.,
William McKinney, and Cheryl Miles*

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